CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

DECEMBER 7, 2004

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:00 p.m.

RECESS: The City Council immediately recessed to a Closed Session for Conference with Legal Counsel regarding Existing Litigation pursuant to Subsection (a) of Government Code Section 54956.9 to discuss Knight v. Greyhound.

The Closed Session concluded at 6:28 p.m.

RECONVENE: City Council reconvened to open session at 6:30 p.m. and reported that a status report and direction to staff were given.

INVOCATION:
Assistant City Manager Haydon gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Trujillo led the pledge of allegiance.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Mariscal, Orach, Trujillo, and Mayor Lavagnino.

MEMBERS ABSENT
Councilmember Patino

STAFF MEMBERS PRESENT:
City Manager Ness, Assistant City Manager Haydon, City Attorney Trujillo, Sr. Deputy City Attorney Stockton, Director of Administrative Services Snodgrass, Director of Public Works Karp, Police Chief Macagni, Director of Utilities Chisam, Community Development Director Lindsey, Planning Division Manager Bierdzinski, Fire Chief Ortiz, Director of Recreation and Parks Posada, City Engineer Sweet, and Chief Deputy City Clerk Perez.

ANNOUNCEMENTS
Mayor Lavagnino recognized Connie Soto for the beautiful Christmas wreath she had made and donated to the City.

PROCLAMATION HONORING JOSEPH HEREDIA
Mayor Lavagnino indicated a proclamation was being added honoring Marine Corporal Joseph J. Heredia who had recently been killed in action in Iraq. Mayor Lavagnino read the proclamation and presented it to Lisa Cano representing the Heredia family.

COMMENDATIONS FOR TWO FIRE FIGHTERS
Mayor Lavagnino announced that Letters of Commendation had been presented to two Fire Fighters, Rick Bertram and John Sabedra, who had responded to a 9-1-1 incident on Saturday, November 13, 2004, to assist Col. Gilbert G. Smith, Jr. who had fallen and suffered a head injury. Col. Smith had been mowing his lawn when his pacemaker stopped, causing him to collapse. After Col. Smith had been taken away by ambulance, these two Fire Fighters took it upon themselves to finish mowing Col. Smith's lawn for him.

INTRODUCTION OF CITY ATTORNEY
City Manager Ness introduced the new City Attorney, Gil Trujillo, who started his employment with the City on November 29, 2004, replacing Art Montandon. Mr. Trujillo previously worked as Assistant City Attorney for the City of San Luis Obispo, and prior to that for the City of Santa Barbara. He served as Deputy City Attorney for the City of Santa Maria in the early 1990's.

Gil Trujillo indicated he was honored by the trust and confidence the City Council had given him and he looked forward to serving the City of Santa Maria and the City Council.

REBECCA ORTEGA
Councilmember Trujillo read a resolution commending Rebecca Ortega, Police Services Technician with the Santa Maria Police Department for twenty years of outstanding service to the City and congratulating her on her retirement.

Resolution No. 2004-224 was adopted on motion by Councilmember Trujillo, seconded by Councilmember Mariscal, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: Councilmember Patino
ABSTAIN: None

Resolution No. 2004-224 adopted. A RESOLUTION COMMENDING SANTA MARIA POLICE DEPARTMENT'S POLICE SERVICES TECHNICIAN REBECCA ORTEGA FOR HER 20 YEARS OF OUTSTANDING SERVICE TO THE CITY OF SANTA MARIA AND CONGRATULATING HER ON HER RETIREMENT.

The resolution was presented to Rebecca Ortega.

DAVID GRIFFITH
Councilmember Mariscal read a resolution commending David Griffith, Police Corporal with the Santa Maria Police Department for twenty-four years of outstanding service to the City and congratulating him on his retirement.

Resolution No. 2004-225 was adopted on motion by Councilmember Mariscal, seconded by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: Councilmember Patino
ABSTAIN: None

Resolution No. 2004-225 adopted. A RESOLUTION COMMENDING SANTA MARIA POLICE CORPORAL DAVID GRIFFITH FOR HIS 24 YEARS OF OUTSTANDING SERVICE TO THE CITY OF SANTA MARIA AND CONGRATULATING HIM ON HIS RETIREMENT.

The resolution was presented to David Griffith.

PROCLAMATION – ERIC DUARTE
Councilmember Orach read a proclamation commending Eric Duarte for his quick actions and calm demeanor on November 14, 2004, in calling for help for his Grandfather which resulted in saving his life after receiving CPR, defibrillation, and follow up medical care within the critical minutes immediately after his heart had stopped.

The proclamation was presented to Eric Duarte.

CONSENT CALENDAR
Councilmember Trujillo requested Item 2L be pulled for comment. Councilmember Mariscal requested Item 2M be pulled for comment. Mayor Lavagnino requested Item 2J be pulled for comment..

Item 2J – Call for bids for Main Street Signal Preemption, Bid No. 2005/04.
Mayor Lavagnino commented that these Opticom devices allow the Fire Department to change the traffic lights in an emergency, resulting in quicker response times and really help the Fire Department.

Item 2L – Award of bid for the Landfill Rolling Closure, Phase II.

Councilmember Trujillo pointed out that this project was another example of what City staff was doing to help the environment and make Santa Maria a better place to live.

Item 2M - 2003-04 Santa Maria Area Transit (SMAT) Annual Report.
Councilmember Mariscal commented that the SMAT system had the most modern fleet on the Central Coast. He asked how Sunday service was doing and had the fare box ratio increased.

Transit Manager Rye explained that during the first few weeks of Sunday service there were about 1,000 riders. Now it had stabilized at around 500 riders. The City will be marketing Sunday service more to try to get the ridership up. The fare box ratio has been staying at about the 20 percent requirement.

Councilmember Mariscal asked Mr. Rye to discuss the new inter-City system that would be starting soon.

Mr. Rye explained that the buses had been ordered and a Request For Proposals would soon go out for the operations of the new system that would connect Santa Maria and Lompoc. They planned to have the new system operating by April 2005.

Consent Calendar Items A through M were accepted and approved with the indicated action on motion by Councilmember Orach, seconded by Councilmember Mariscal, and carried on the following vote:

AYES:	Councilmembers Mariscal, Orach, Trujillo, and Mayor Lavagnino
NOES:	None
ABSENT:	Councilmember Patino
ABSTAIN:	None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar will be adopted by the same vote cast at the first reading unless City Council indicates otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of November 16, 2004, were approved as submitted.

C. MEMORANDUM OF UNDERSTANDING
Resolution No. 2004-226 was adopted approving amendments to an extension of the current Memorandum of Understanding (MOU) with the Service Employees International Union (SEIU), Local 620.

Resolution No. 2004-226 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN EXTENSION AND AMENDMENT OF THE MEMORANDUM OF UNDERSTANDING WITH THE SERVICE EMPLOYEES INTERNATIONAL UNION (SEIU), LOCAL 620.

D. WARRANTS
Warrant Nos. 116547 to 116972 in the amount of $2,026,380.01 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 110623, 116416, 114886, 115585, 116373, 116656, 116741, and 116815 were cancelled.

E. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads as shown on records on file in the Administrative Services Department and having been approved for payment by the Director of Administrative Services.

F. ALCOHOLIC BEVERAGE LICENSE
Notice from the California Department of Alcoholic Beverage Control of an application for an Alcoholic Beverage License in an existing warehouse for Parker Station located at 2643 Industrial Parkway was received and filed.

G. ALCOHOLIC BEVERAGE LICENSE
Notice from the California Department of Alcoholic Beverage Control of an application for an Alcoholic Beverage License in an existing warehouse for Ortman Family Vineyards, LLC located at 2643 Industrial Parkway, Ste. D was received and filed.

H. ORDINANCE NO. 2004-20
Council conducted the second reading of Ordinance No. 2004-20, a zone change from CM (Commercial Manufacturing) to C-1 (Central Business District) for the South Miller Transit Center located at 630 Boone Street, and adopted the Ordinance.

Ordinance No. 2004-20 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, REZONING APPROXIMATELY 3.0 ACRES OF PROPERTY LOCATED AT 630 EAST BOONE STREET.

I. 2003 GENERAL PLAN ANNUAL REPORT
The 2003 General Plan Annual Report was received and filed and the City Clerk was directed to file said report with the State Office of Planning and Research (OPR), Housing and Community Development Department (HCD), and Santa Barbara County Grand Jury.

J. CALL FOR BIDS
Approval was granted to call for bids on the plans and specifications for Main Street Signal Preemption, Bid No. 2005/04.

K. CALL FOR BIDS
Approval was granted to call for bids on the plans and specifications for North Preisker Ranch Park Site, Bid No. 2005/10.

L. AWARD OF BID
Resolution No. 2004-227 was adopted awarding the bid and approving an agreement with Central Coast Remedial Resources for the budgeted Public Works project, Landfill Rolling Closure, Phase II, Bid No. 2005/08 in the amount of $303,471.

Resolution No. 2004-227 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A CONTRACT WITH CENTRAL COAST REMEDIAL RESOURCES, INC. FOR SANTA MARIA LANDFILL ROLLING CLOSURE, PHASE III, BID NO. 2005/08.

M. SMAT ANNUAL REPORT
The 2003-04 Santa Maria Area Transit (SMAT) Annual Report was approved and filed.

PUBLIC COMMENT
Ernest Armenta talked about the deadline for paying property taxes, the need for young people over 18 years of age to consider running for public office, and a piece of property on College Drive and Betteravia Road that had tumbleweeds and weeds and was unsightly.

COPS GRANT PROGRAM
Police Chief Macagni gave the staff report. The passage of AB1913 made State grant funds available to local jurisdictions based on a population formula, with each agency guaranteed to receive no less than $100,000 to provide frontline law enforcement services. The grant is made available to local jurisdictions annually and funds must be expended no later than June 30 of the following fiscal year or be forfeited. There are no matching funds required. Last year the City Council appropriated $122,299 in State COPS funds toward the match of two police officer positions hired under a Federal Universal Hiring Grant. Future funding under the State COPS program have been identified as the source of the match required to make these two officer positions cost-neutral to the City until 2006. In 2006, these two positions will be fully absorbed by the City's general fund.

Mayor Lavagnino opened the public hearing.

Hearing no request to speak, Mayor Lavagnino closed the public hearing.

Resolution No. 2004-228 was adopted appropriating funds from the COPS Grant Program on motion by Councilmember Orach, seconded by Councilmember Trujillo, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: Councilmember Patino
ABSTAIN: None

Resolution No. 2004-228 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROPRIATING STATE FUNDS TO THE POLICE DEPARTMENT PURSUANT TO THE CITIZEN'S OPTION FOR PUBLIC SAFETY (COPS) PROGRAM FOR FISCAL YEAR 2004-05.

ALL-AMERICA CITY COMMITTEE
Mayor Lavagnino announced that the Council would be making one appointment to the All-America City Committee to fill an unexpired vacancy created by the resignation of Don Brister. One application was received from Harry Watson.

Councilmember Orach nominated Harry Watson to fill the vacancy through January 2006.

On motion by Councilmember Orach, seconded by Councilmember Trujillo, and carried unanimously, Harry Watson was appointed to the All-America City Committee through January 2006.

REPORT BY CITY MANAGER:
City Manager Ness reported on items for the December 21, 2004, City Council meeting including acceptance of the County Clerk-Recorder's Certification of the November 2, 2004, Election; swearing in of newly elected officers; Lights, Sights and Holiday Nights Contest winners recognition; a public hearing on the Redevelopment Agency's Five-Year Implementation Plan; and a recommendation for economic development services.

ORAL REPORTS OF COUNCILMEMBERS
Mayor Lavagnino reported on "A Celebration of Life" event he had attended for people 90 years of age and older which was sponsored by the Recreation and Parks Department and the Santa Barbara Foundation. He said the people in attendance had a wonderful time.

Councilmember Trujillo reported on a memorial service held on December 7th at the Abel Maldonado Youth Center War Memorial to honor veterans of World War I and World War II. He also reported that he had just returned from Colorado where he attended a party to celebrate the election of one of his cousins to the U.S. Senate and one to the U.S. Congress.

Councilmember Orach also commended the Recreation and Parks Department on the "Celebration of Life" event.

Councilmember Mariscal commended and thanked Don Brister and his wife for their many years of community involvement and support. They are moving out of the City. He commented on an auction item he had purchased that was a trip to see a Raiders game in Oakland and thanked the Will family for arranging the trip. He also discussed the recent incident where a youth had tried to commit serious bodily harm on a police officer.

CLOSED SESSION
The City Council adjourned to Closed Session at 7:22 p.m. for Conference with Legal Counsel regarding existing litigation pursuant to Subsection (a) of Government Code Section 54956.9 to discuss Santa Maria Valley Water Conservation District v. City of

Santa Maria; and Conference with Labor Negotiator pursuant to Government Code Section 54957.6, Agency representative: Assistant City Manager, Employee organization: Service Employees International Union (SEIU), Local 620.

After the Closed Session, the following was announced:

Santa Maria Valley Water Conservation District v. City of Santa Maria – Status report. No reportable action.

Conference with Labor Negotiator re: SEIU – Update. Direction to staff.

ADJOURNMENT
There being no further business to come before the City Council at this time, the meeting was declared adjourned at 7:46 p.m. by order of Mayor Lavagnino.

APPROVED December 21, 2004
Date

Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

ATTEST
Chief Deputy City Clerk

Mayor of the City of Santa Maria